

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION**

**JOHNNY C. GRACE, JR.,
#227106,**

PETITIONER,

vs.

J.C. GILES, et al.,

RESPONDENTS.

CASE NO. 1:05-CV-634-F

RESPONDENTS' REQUEST FOR EXTENSION OF TIME

Come now the Respondents, by and through the Attorney General for the State of Alabama, and hereby request a fourteen (14) day extension of time in which to file their response as directed by this Court's July 12, 2005 order. The Respondents request this extension on the following grounds:

1. The original due date for this response is Monday, August 1, 2005.
2. Undersigned counsel has worked diligently to obtain information and supporting documents regarding the petition for writ of habeas corpus filed by the Petitioner, which challenges his 2002 robbery convictions in Henry County Circuit Court. Undersigned counsel is currently in the process of obtaining the records of the Petitioner's direct appeal, Ala.R.Crim.P. Rule 32 petition, and his appeal of a restitution judgment arising from his robbery convictions, and has been unable to yet compile those records in order to properly respond to the Petitioner's claim.

3. If this Court were to grant this request for an extension of time, the response will be due on August 15, 2005. Undersigned counsel will make all efforts to submit said response before that date. The Petitioner will not be prejudiced by this extension in any manner.

Therefore, for these reasons, the Respondents respectfully request this Court to extend its due date for said response to August 15, 2005.

Respectfully submitted,

Troy King(KIN047)
Attorney General
By:

/s/Marc A. Starrett
Marc A. Starrett
Assistant Attorney General

ID #STARM1168

CERTIFICATE OF SERVICE

I hereby certify that on this the 1st day of August, 2005, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system and I hereby certify that I have mailed by United States Postal Service the document to the following non-CM/ECF participant:

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